

The Face of Mental Illness

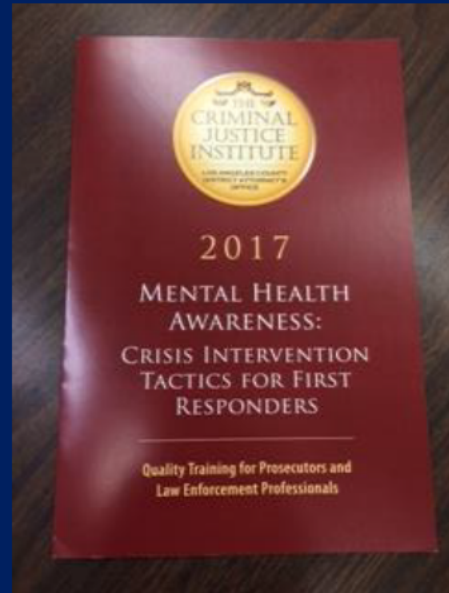
"Mental illness is
nothing to be ashamed of,
but stigma and bias
shame us all."
Bill Clinton



1 in 4 OF US
will experience
**MENTAL HEALTH
PROBLEMS**
in our LIFETIMES.

It's important!

Crisis Intervention Training



23 classes this year alone!



Mental Health Diversion is Consistent With Our Mission As Prosecutors

The Los Angeles County District Attorney's Office is dedicated to protecting our community through the fair and ethical pursuit of justice and the safeguarding of crime victims' rights.

Fairness, Justice, Public Safety, Victims' Rights



View “mental health diversion” broadly . . .



Within the framework of public safety and victims’ rights.



**Mental health diversion can happen anytime:
From filing, to disposition, sentencing and reentry**



It's not just Department 95!



The elephant in the room . . . malingering.



Take your time, and don't speculate!



Policy Goals: Empowerment





Policy Goals:

Encourage Appropriate Treatment





Policy Goals:

Consistency With Other Existing Policy



Locked vs. Secure Facilities



Treatment isn't punishment!



“Medical Necessity”



Housing, Residential Beds, Loungers, Program Spots, oh my!

Mental Health Diversion



You could change lives: Defendants, family members, the community and future victims whose harms are avoided.

Thank You!



Alternative Sentencing Court Programs and Community Collaborative Courts




Saturday Seminar
April 22, 2017

Presentation by:

Kimberly Hassett, Alternative Sentencing Court Coordinator

SPECIAL DIRECTIVE 17- 08


TO: ALL DISTRICT ATTORNEY PERSONNEL

FROM: JACKIE LACEY 
District Attorney

SUBJECT: MENTAL HEALTH DIVERSION AND ALTERNATIVE
SENTENCING COURT PROGRAMS


DATE: APRIL 19, 2017

Community Collaborative Courts Quick Reference Guide

Community Collaborative Courts 	Drug Court	Sentenced Offender Drug Court (SODC)	Co-Occurring Disorders Court (CODC)
Eligible Charges	<ul style="list-style-type: none"> -Pre-guilty plea: Drug possession offenses (H&S 11350, 11377, 11364, 11365, or 11550) -Post-guilty plea: Prop. 36 and DEJ fall-offs; Theft related offenses with no evidence of organized criminal activity and minimal financial loss: (PC 459 2nd, 459.5, 487, 490.2, 496, and VC 10851) 	<ul style="list-style-type: none"> -Plead guilty to a non-serious or non-violent felony or admit a felony probation violation -Have a history of drug abuse and addiction and -Exhibit a sincere desire to get clean and sober 	<ul style="list-style-type: none"> -Track I: Prop. 36 eligible -Track II: Plead guilty to low level, non-violent felony or misdemeanor or admit probation violation; Prop. 36 fall-offs -Defendant has a substance use disorder and a severe and persistent mental illness**
Requirements of Program– could entail any combination on the right	<ul style="list-style-type: none"> -9 to 12 month outpatient intensive treatment program -Residential program available if needed -Post-guilty plea and Prop. 36 fall-offs: -Deft. must spend first 45 days in county jail treatment pod 	<ul style="list-style-type: none"> -Waive <i>Arbuckle</i> & transfer to CJC Dept. 42 -Mandatory 104 days in county jail treatment pod as part of highly-structured 12 to 15 month program -Women transition to residential after county jail treatment pod -Men transition to sober living and outpatient after county jail treatment pod -5 years supervised probation (termination of probation possible after 2.5 years) 	<ul style="list-style-type: none"> -Waive <i>Arbuckle</i> & transfer to CJC Dept. 42 -First 90 days at AVRC -Next 3 to 6 months in structured supervised sober living with intensive outpatient treatment at Project 180 -12 to 18 month treatment program -3 years non-supervised probation (termination of probation upon successful completion of the program)
Successful completion	<ul style="list-style-type: none"> -Pre-guilty plea: PC 1000.4 dismissal -Post-guilty plea: PC 1203. 4 dismissal -Failure = case prosecution 	<ul style="list-style-type: none"> -PC 1203.4 dismissal available after 2.5 years -Failure = P&S 	<ul style="list-style-type: none"> -Track I: PC 1210 dismissal -Track II: PC 1203.4 dismissal -Failure = P&S
Exclusions	<ul style="list-style-type: none"> -No prior drug sales or strike convictions -Pre-guilty plea, Prop. 36 & DEJ fall-offs: No prior violent misd. convictions (unless agreed upon) -Post-guilty plea: Prior violent misd. convictions permitted w/HDDA approval -No grand theft firearm, crimes against elder or dependent adults, and any crimes charged with PC 186.11 or 12022.6 enhancements are not included as eligible theft related offenses -No active gang members 	<ul style="list-style-type: none"> -No charged sales, t/f/s or p/f/s offenses* -No charged strike offenses or prior strike convictions*** <i>Program Requirements:</i> -Certain medical or psychological diagnoses may prevent participation -Must be able to do treatment pod -No active gang members 	<ul style="list-style-type: none"> -No charged strike offenses or prior strike convictions (unless Prop. 36 eligible)*** <i>Program Requirements:</i> -Must be 26 to 59 years of age -No active parolees/ No AB 109/ PRCS -No Regional Center involvement -Must reside in DMH Service Areas 4 or 6 (downtown, Compton or W. Hollywood) or be homeless or risk of homelessness

* If all parties agree, current low level sales, transportation for sale, or p/f/s narcotics charges are eligible where there is clear evidence that sales activity is driven by a documented history of addiction.

** Severe mental illness includes mood disorders (bipolar/major depression, anxiety, PTSD, etc), schizophrenia and related psychotic disorders; If a diagnosis is not clear, DMH will evaluate defendant.

Community Collaborative Courts 	Second Chance Women's Re-Entry Court	Veterans Court	Community Collaborative Courts
Eligible Charges	<ul style="list-style-type: none"> -Plead guilty to non-violent, non-serious felony or admit felony probation violation -PC 459 1st degree charged or prior offenses are eligible if non-violent -Found amenable for treatment by Prototypes -Children under age of 11 permitted 	<ul style="list-style-type: none"> -Plead guilty to non-violent, non-serious felony -Entitled to veteran's benefits -Suffer from the following disorders which <i>stem from their military service</i>: sexual trauma, TBI, PTSD, substance abuse, or mental health problems 	<ul style="list-style-type: none"> -Plead guilty to non-violent, non-serious felony or admit felony probation violation
Requirements of Program– could entail any combination on the right	<ul style="list-style-type: none"> -Waive <i>Arbuckle</i> & transfer to CJC Dept. 42 -Minimum of 6 months of residential followed by minimum of 6 months sober living and outpatient treatment and minimum of 6 months aftercare -Applicants remain in jail until bed available and are transported directly to the treatment facility -3 to 5 years supervised probation 	<ul style="list-style-type: none"> -Waive <i>Arbuckle</i> & transfer to CJC Dept. 42 -DVA recommends residential or outpatient treatment -3 to 5 years non-supervised probation (termination of probation after minimum 18 months, unless otherwise agreed upon by the parties) 	<ul style="list-style-type: none"> -Waive <i>Arbuckle</i> & transfer to matrixed CCC for final eligibility & suitability determination -Treatment plan determined by CCC team, may include: 90 day CJ treatment pod; residential; sober living w/ outpatient; community aftercare -3 to 5 years supervised probation
Successful completion	<ul style="list-style-type: none"> -PC 1203.4 upon successful completion of probation -Failure = P & S 	<ul style="list-style-type: none"> -PC 1170.9 and 1203.4 dismissals -Failure = P & S 	<ul style="list-style-type: none"> -PC 1203.4 upon successful completion of probation -Failure = P & S
Exclusions	<ul style="list-style-type: none"> -No charged strike offenses or prior strike convictions*** -Charged or prior PC 459 1st okay if no violence -No prior child physical abuse convictions 	<ul style="list-style-type: none"> -No charged strike offenses or prior strike convictions*** <i>Program Requirements:</i> -No registered sex offenders -No registered arson offenders 	<ul style="list-style-type: none"> -No charged strike offenses or prior strike convictions*** -No charged sales, t/f/s or p/f/s offenses* -No excessively violent record -No active gang members -No registered sex offenders -No registered arson offenders

***Exceptions on eligibility require the approval of the treatment team. HDDA approval is required to dismiss or not charge prior strike convictions. LPM Chapter 12 Felony Case Settlement Policy applies in all cases.

Alternative Sentencing Court Programs





*Release from
Custody...*



Trigger Areas



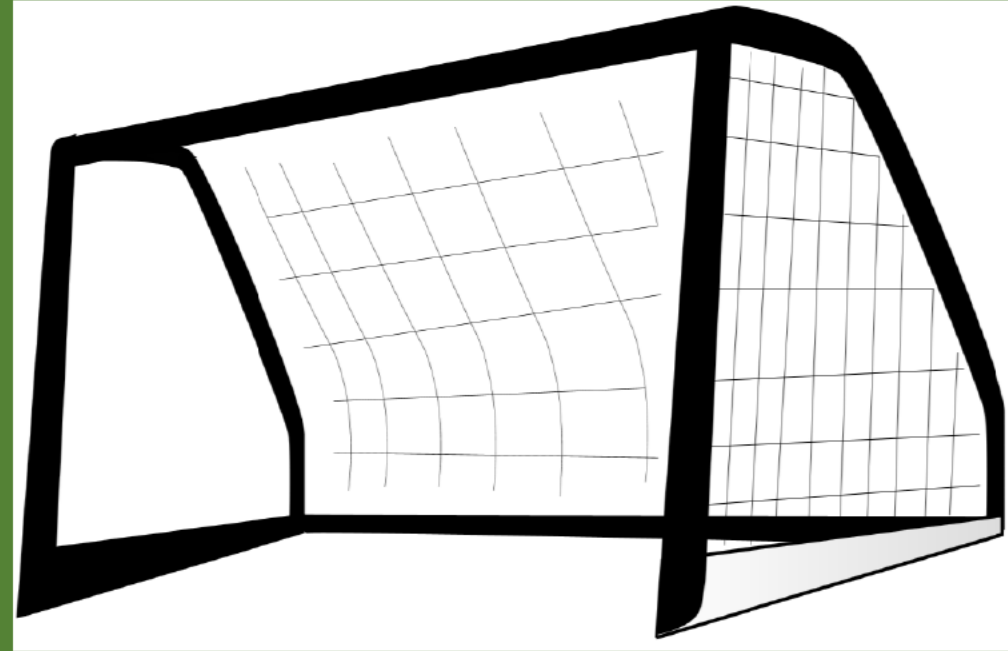
ASC & CCC GOALS

Treat
Underlying
Problems

Stop
Criminal
Behavior

Stay
Clean and
Sober

Dismiss
the Case



Sentenced
Offender Drug
Court



*Co-Occurring
Disorders Court*



Second Chance
Women's
e-Entry Court



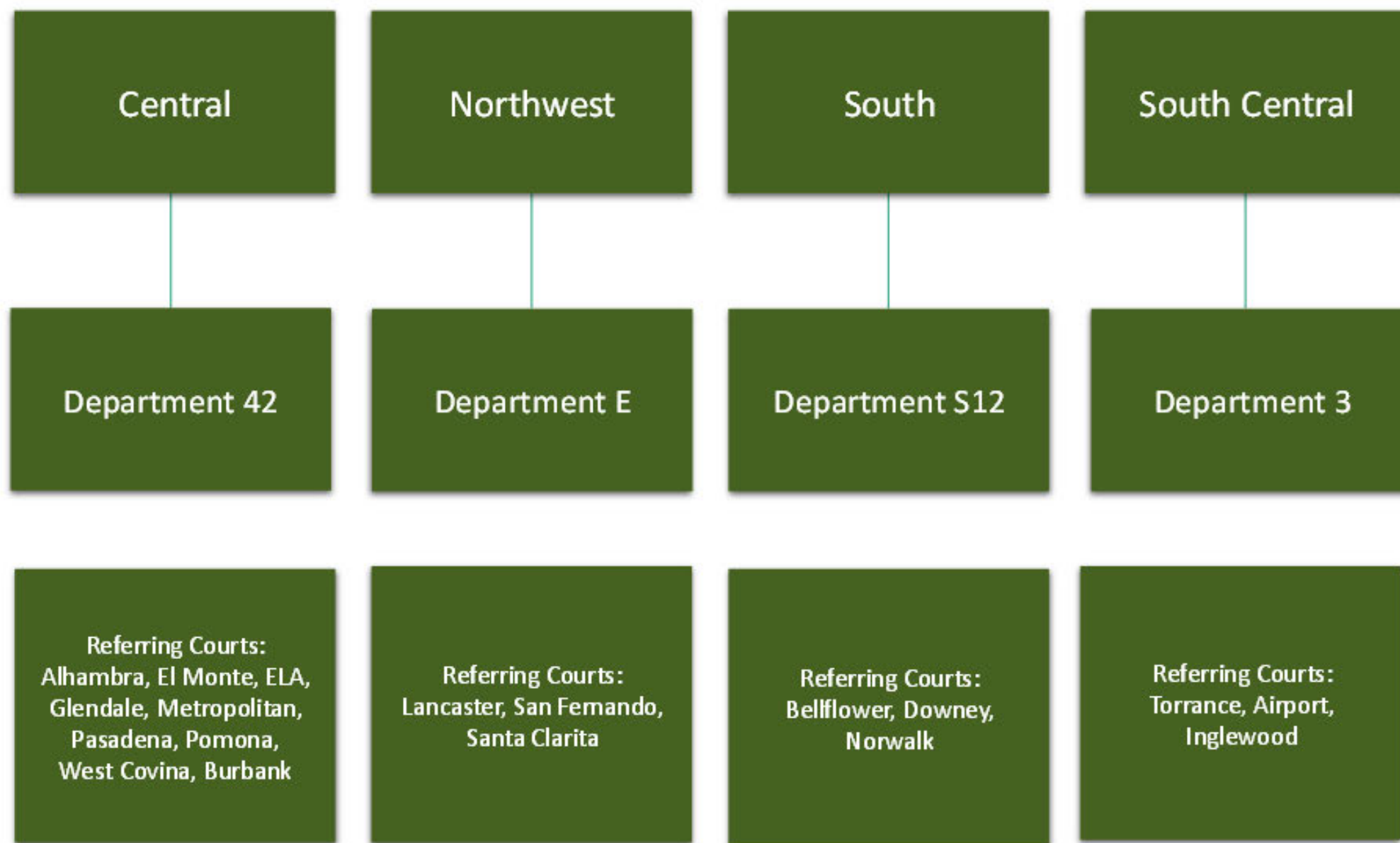
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Community
Collaborative
Court



Community Collaborative Courts Matrix Rev. 04/17/17



Exclusions

- *Current Strike or Prior Strike Convictions*
- *Drug Dealers*
- *Registered Arson or Sex Offenders*
- *Active Gang Members*
- *Excessively Violent Records*

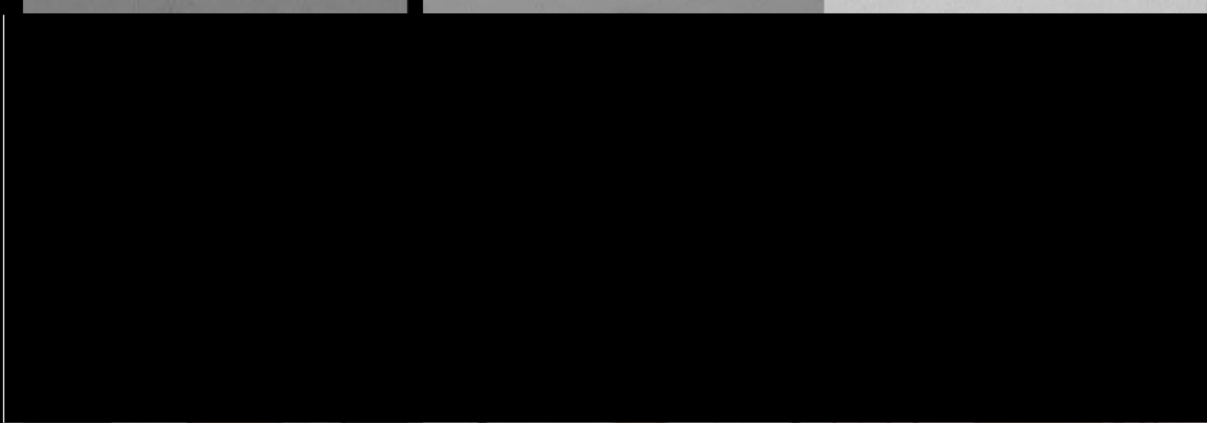
*Deviations are permitted
upon the agreement of
the parties.*

- *Follow LPM Chap. 12*
- *Prior HDDA approval
to dismiss or not allege
strikes*



A man in a grey suit and blue tie stands at the front of a meeting room, pointing with a blue marker at a whiteboard. He is smiling and looking towards the audience. Several people are seated around a conference table in the foreground, facing him. One man on the left is pointing his finger upwards. Two women on the right are also pointing their fingers upwards. The table has a laptop, a tablet, and some papers on it. The background shows large windows with blinds.

ASC Designee Program



Thank You!



Presentation by:

Kimberly Hassett, Alternative Sentencing Court Coordinator

(213) 974-3625